



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

January 15, 2001

The Honorable Al Gore  
President of the Senate  
Washington, D.C. 20515

Dear Mr. President:

Enclosed are separate appropriations and pay-as-you-go reports, as required by the Balanced Budget and Emergency Deficit Control Act of 1985 (section 251(a)(7), and section 252(d)), as amended, for the Commerce, Justice, State, the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001 (P.L. 106-553); H.R. 5656, the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, FY 2001 (P.L. 106-554); H.R. 5657, the Legislative Branch Appropriations Act, FY 2001 (P.L. 106-554); H.R. 5658, the Treasury and General Government Appropriations Act, FY 2001 (P.L. 106-554); H.R. 5666, Miscellaneous Appropriations Act, FY 2001 (P.L. 106-554); H.R. 5661, the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (P.L. 106-554); H.R. 5662, Community Renewal Tax Relief Act of 2000 (P.L. 106-554); H.R. 5667, Small Business Reauthorization Act of 2000 (P.L. 106-554); and, H.R. 5660, Commodity Futures Modernization Act of 2000 (P.L. 106-554).

Sincerely,

Jacob J. Lew  
Director

Enclosure

Identical Letter Sent to The Honorable J. Dennis Hastert



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Speaker of the House of  
Representatives  
Washington, D.C. 20515

Dear Mr. Speaker:

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Sincerely,

Jacob J. Lew  
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Enclosure

Identical Letter Sent to The Honorable Al Gore

**Table 1.**  
**Estimates Contained in P.L. 106-553, Commerce, Justice, State,**  
**the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001**  
**(in millions of dollars)**

	FY 2001	
	BA	OL

**NON-EMERGENCY APPROPRIATIONS**

**OTHER DISCRETIONARY**

<b>CBO ESTIMATE, NON-EMERGENCY APPROPRIATIONS .....</b>	<b>37,524</b>	<b>37,205</b>
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**Scorekeeping Differences:**

**Department of Justice:**

Legal Activities and U.S. Marshals:

Salaries and expenses, Antitrust Division.....	12	11
<p>Budget authority difference is due to the fact that OMB has a higher estimate of net budget authority, including a \$4 million higher estimate of fees collected in the prior year and an \$8 million lower estimate of fees to be collected in the budget year. CBO and OMB have different estimates of outlays from new authority (+\$11 million).</p>		

Drug Enforcement Administration:

Diversion control fee account rescission.....	8	6
<p>CBO scores savings from a rescission of unobligated balances included in the Act. OMB estimates that the rescission does not ultimately prevent the Attorney General from using the funds.</p>		

Office of Justice Programs:

Crime Victims Fund.....	169	-261
<p>The budget authority difference is a result of different estimates of total collections (\$1,253 million and \$1,063 million, respectively) and, consequently, of the deferred level of mandatory spending that offsets discretionary spending (\$716 million and \$525 million, respectively). Additionally, new authorization language signed in FY 2000 increased the delay by \$22 million. CBO did not score this effect. The outlay difference is due to the fact that CBO assumes that deferred collections would have outlayed at a rate of 40 percent; OMB assumes that all deferred collections would have been outlayed in the year in which they were collected.</p>		

**Table 1.**  
**Estimates Contained in P.L. 106-553, Commerce, Justice, State,**  
**the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001**  
**(in millions of dollars)**

		FY 2001	
		BA	OL
<b>Department of Commerce:</b>			
Economic Development Administration:			
Economic development assistance programs.....		10	32
<p>The FY 2000 Agriculture Appropriations Act included a \$30 million contingent emergency advance appropriation for fisheries assistance. Once available, \$10 million will be transferred from the Department of Agriculture to this account. CBO scores the appropriation to the subcommittee that appropriated the funds (Agriculture). OMB scores the appropriation to the subcommittee that will receive the funds (Commerce/Justice/State). In addition, CBO and OMB have different estimates of outlays from prior-year balances not associated with the contingent emergency funds.</p>			
<b>Land Conservation, Preservation and</b>			
<b>Infrastructure Improvement (non-add).....</b>		<b>(---)</b>	<b>(-102)</b>
<p>OMB and CBO have the same estimate of funds appropriated for these conservation accounts. CBO scored \$281 million to the NOAA Operations, research, and facilities (ORF) account while OMB distributes the funding between the ORF and and other NOAA accounts. (see below)</p>			
National Oceanic and Atmospheric Administration:			
Operations, research, and facilities.....		-261	-234
<p>The FY 2000 Agriculture Appropriations Act included a \$30 million contingent emergency advance appropriation for fisheries assistance. Once available, \$20 million will be transferred from the Department of Agriculture to this account. CBO scores the appropriation to the subcommittee that appropriated the funds (Agriculture). OMB scores the appropriation to the subcommittee that will receive the funds (Commerce/Justice/State). CBO and OMB have different estimates of outlays from new authority (-\$251 million) and outlays from prior-year balances (+\$17 million).</p>			
Pacific coastal salmon recovery.....		36	66
<p>CBO and OMB have different estimates of outlays from new authority (+\$86 million) and outlays from prior-year balances (-\$20 million).</p>			

**Table 1.**  
**Estimates Contained in P.L. 106-553, Commerce, Justice, State,**  
**the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001**  
**(in millions of dollars)**

	FY 2001	
	BA	OL
Procurement, Acquisition, and Construction.....	95	-9
CBO and OMB have different estimates of outlays from new authority (-\$35 million) and outlays from prior-year balances (+\$26 million).		
Coastal Impact Assistance.....	150	75
CBO and OMB also have different estimates of outlays from new authority (+\$75 million).		
Patent and Trademark Office:		
Salaries and expenses.....	-80	-189
OMB's estimate of fees that offset discretionary spending is \$80 million higher than CBO's estimate. In addition, CBO and OMB have different estimates of outlays from new authority (-\$94 million) and outlays from prior-year balances (-\$95 million).		
<b>Department of State: Diplomatic and Consular Programs:</b>		
Administration of Foreign Affairs:		
Diplomatic and Consular Programs.....	15	259
OMB scores \$14 million in discretionary budget authority from offsetting immigration affidavit assistance fee receipts; CBO does not score the receipts as new budget authority. Additional \$1 million BA difference is due to differing rounding conventions. CBO and OMB have different estimates of outlays from new authority (+\$157 million) and outlays from prior-year authority (+\$102 million). Differences in estimates are the result of the offsetting fee collection issue highlighted above, and different assumptions about the spendout of funds for diplomatic security.		
<b>Federal Trade Commission:</b>		
Salaries and Expenses.....	12	12
OMB has a higher estimate of total obligational authority, including a \$3 million higher estimate of fees advanced from the prior year and an \$9 million lower estimate of fees to be collected in the budget year. CBO and OMB have different estimates of outlays from new authority (+\$12 million).		

**Table 1.**  
**Estimates Contained in P.L. 106-553, Commerce, Justice, State,**  
**the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001**  
**(in millions of dollars)**

	FY 2001	
	BA	OL

**Securities and Exchange Commission:**

Salaries and Expenses.....	338	315
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OMB has a higher estimate of total obligational authority, including a \$1 million higher estimate of fees advanced from the prior year and a \$337 million lower estimate of fees to be collected in the budget year. CBO and OMB have different estimates of outlays from new authority (+\$376 million) and from prior year balances (-\$61 million).

**Other:**

CBO rounding adjustment.....	-4	---
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CBO includes this adjustment to budget authority to bring account level detail in line with the bill total.

**Technical Outlay Estimating Differences:**

**Department of Justice:**

General Administration:

Narrowband communications.....	---	26
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CBO and OMB have different estimates of outlays from new authority (+\$11 million) and from prior-year balances (+\$15 million).

Telecommunications carrier compliance fund.....	---	91
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CBO and OMB have different estimates of outlays from new authority (+\$99 million) and from prior-year balances (-\$9 million).

FBI:

Salaries and expenses.....	---	-339
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CBO and OMB have different estimates of outlays from new authority (-\$144 million) and from prior-year balances (-\$195 million).

DEA:

Salaries and expenses.....	---	-94
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CBO and OMB have different estimates of outlays from new authority (-\$68 million) and from prior-year balances (-\$26 million).

**Table 1.**  
**Estimates Contained in P.L. 106-553, Commerce, Justice, State,**  
**the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001**  
**(in millions of dollars)**

	FY 2001	
	BA	OL
Federal Prison System:		
Buildings and facilities.....	---	158
CBO and OMB have different estimates of outlays from prior-year balances.		
Salaries and expenses.....	---	-78
CBO and OMB have different estimates of outlays from prior-year balances.		
Office of Justice Programs:		
Juvenile justice programs.....	---	100
CBO and OMB have different estimates of outlays from new authority (+\$30 million) and from prior-year balances (+\$70 million).		
State and local law enforcement assistance.....	---	438
CBO and OMB have different estimates of outlays from prior-year balances.		
Community oriented policing services.....	---	793
CBO and OMB have different estimates of outlays from new authority (-\$72 million) and from prior-year balances (+\$865 million).		
<b>Department of Commerce:</b>		
Departmental Management:		
Emergency oil and gas guaranteed loan program account.....	---	-40
CBO and OMB have different estimates of outlays from prior-year balances.		
Emergency steel guaranteed loan program account.....	---	-49
CBO and OMB have different estimates of outlays from prior-year balances.		
Bureau of the Census:		
Periodic censuses and programs.....	---	292
CBO and OMB have different estimates of outlays from new authority (+\$19 million) and from prior-year balances (+\$273 million).		

**Table 1.**  
**Estimates Contained in P.L. 106-553, Commerce, Justice, State,**  
**the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001**  
**(in millions of dollars)**

	FY 2001	
	BA	OL
National Oceanic and Atmospheric Administration:		
Promote and develop fisheries.....	---	57
CBO records the outlay offset from the transfer of funds from Promote and develop fisheries to Operations, research, and facilities in this account. OMB incorporates the outlay offset into its estimates for Operations, research, and facilities.		
National Institute of Standards and Technology:		
Industrial technology services.....	---	-59
CBO and OMB have different estimates of outlays from new authority (-\$14 million) and from prior-year balances (-\$45 million).		
National Technical Information Service:		
NTIS revolving fund.....	---	14
CBO and OMB have different estimates from prior-year balances.		
<b>Judicial Branch:</b>		
Courts of Appeals, District Courts, and other Judicial Services: Court Security....	---	20
CBO and the Judicial Branch have different estimates of outlays from new authority (+\$23 million) and from prior-year balances (-\$3 million).		
<b>Department of State:</b>		
Administration of Foreign Affairs:		
Embassy security, construction, and maintenances.....	---	78
CBO and OMB have different estimates of outlays from new authority (+\$24 million) and outlays from prior-year authority (+\$54 million). Differences in estimates are the result of differing assumptions for diplomatic security spending.		
International Organizations and Conferences:		
Arrearage payments.....	---	107
CBO estimates \$475 million in outlays from prior-year balances for arrears payments. OMB estimates \$582 million in outlays from prior-year balances.		



**Table 1.**  
**Estimates Contained in P.L. 106-553, Commerce, Justice, State,**  
**the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001**  
**(in millions of dollars)**

	FY 2001	
	BA	OL
<b>Department of the Interior:</b>		
U.S. Fish and Wildlife Service:		
Federal aid in wildlife restoration.....	---	-12
CBO and OMB have different estimates of outlays from new authority (-\$12 million) . Differences in estimates are the result of different assumptions about the spendout of funds.		
<b>Department of Transportation:</b>		
Maritime Administration:		
Maritime guaranteed loan program account.....	---	-22
CBO and OMB have different estimates of outlays from new authority (+\$30 million) and from prior year balances (-\$52 million).		
Other technical outlay estimating differences.....	---	30
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<b>TOTAL DIFFERENCES.....</b>	<b>500</b>	<b>1,594</b>
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<b>OMB ESTIMATE, NON-EMERGENCY APPROPRIATIONS.....</b>	<b>38,024</b>	<b>38,799</b>

**Table 2.**  
**Estimates Contained in P.L. 106-554, Departments of Labor, Health and Human**  
**Services, Education and Related Agencies Appropriations Act, FY 2001**  
(in millions of dollars)

		<b>FY 2001</b>	
		<b><u>BA</u></b>	<b><u>OL</u></b>
<b>EMERGENCY APPROPRIATIONS</b>			
<b><u>OTHER DISCRETIONARY</u></b>			
<b>CBO ESTIMATE, EMERGENCY APPROPRIATIONS.....</b>		<b>300</b>	<b>75</b>
<b><u>Scorekeeping Adjustments:</u></b>			
<b>Department of Health and Human Services:</b>			
Administration for Children and Families:			
Low income home energy assistance.....		---	-75
CBO outlay estimates include outlays from unreleased contingent emergency spending; OMB scores outlays for contingent emergency funds when the they are released.			
Low income home energy assistance.....		---	595
CBO includes outlay estimates from unreleased contingent emergency funding, OMB scores outlays when the funds are released. These outlays are from the 1/25/00, 2/11/00, 2/16/00, 7/25/00, 8/23/00, and 9/23/00 releases.			
<b>TOTAL DIFFERENCES.....</b>		<b>---</b>	<b>520</b>
<b>OMB ESTIMATE, EMERGENCY APPROPRIATIONS.....</b>		<b>300</b>	<b>595</b>

**Table 2.**  
**Estimates Contained in P.L. 106-554, Departments of Labor, Health and Human**  
**Services, Education and Related Agencies Appropriations Act, FY 2001**  
(in millions of dollars)

	<b>FY 2001</b>	
	<b><u>BA</u></b>	<b><u>OL</u></b>
<b>CBO ESTIMATE, NON-EMERGENCY APPROPRIATIONS.....</b>	<b>108,611</b>	<b>97,424</b>
<b><u>Scorekeeping Adjustments:</u></b>		
<b>Social Security Administration:</b>		
Supplemental Security Income.....	23	53
OMB scores funds enacted in excess of \$7 million for the "Research and Demonstration" portion of the SSI account as discretionary because spending for this account is controllable through the appropriations process. CBO scores the entire "Research and Demonstration" portion as mandatory. In addition, OMB assumes a first-year outlay rate of 90 percent, while CBO assumes a rate of 88 percent.		
<b>Railroad Retirement Board:</b>		
Federal Windfall Subsidy.....	10	15
CBO scores as mandatory an estimated \$10 million in anticipated taxes on benefits from discretionary appropriations that are credited to this account pursuant to section 224(c)(1)(B) of P.L. 98-76. In addition, OMB assumes a first-year outlay rate of 100 percent, while CBO assumes a rate of 90 percent.		
<b>Other:</b>		
CBO rounding adjustment.....	-1	---
CBO includes this adjustment to budget authority to bring account level detail in line with the bill total.		
<b><u>Technical Outlay Estimating Differences:</u></b>		
<b>Department of Education:</b>		
Office of Elementary and Secondary Education:		
Education for the disadvantaged.....	---	265
CBO has a lower first-year outlay rate than OMB (57% vs. 60%).		

**Table 2.**  
**Estimates Contained in P.L. 106-554, Departments of Labor, Health and Human**  
**Services, Education and Related Agencies Appropriations Act, FY 2001**  
(in millions of dollars)

	<u>FY 2001</u>	
	<u>BA</u>	<u>OL</u>
School improvement.....	---	290
CBO has a lower first-year outlay rate than OMB (26% vs. 31%) resulting in a \$258 million difference in new outlays. In addition, CBO assumes slightly lower prior-year outlays.		
Office of Special Education and Rehabilitative Services:		
Special education.....	---	376
CBO has a lower first-year outlay rate than OMB (41% vs. 49%) resulting in a \$484 million difference in new outlays. In addition, CBO assumes slightly higher prior-year outlays.		
Office of Postsecondary Education:		
Higher education.....	---	95
CBO scores lower prior-year outlays to this account than OMB, resulting in a \$99 million difference. There is also a minor difference in first-year outlays.		
Office of Student Financial Assistance:		
Student financial assistance.....	---	-398
CBO assumes more outlays from prior-year balances than OMB. There is also a small difference in first-year outlays.		
Department of Education, other technical outlay estimating differences.....	---	-59
<b>Department of Health and Human Services:</b>		
National Institutes of Health:		
National institutes of health.....	---	639
CBO has a lower first-year outlay rate than OMB (27% vs. 29%) resulting in a \$297 million difference in new outlays. In addition, CBO assumes lower prior-year outlays.		

**Table 2.**  
**Estimates Contained in P.L. 106-554, Departments of Labor, Health and Human**  
**Services, Education and Related Agencies Appropriations Act, FY 2001**  
(in millions of dollars)

		<u>FY 2001</u>	
		<u>BA</u>	<u>OL</u>
<b>Administration for Children and Families:</b>			
Payments to States for the child care and development block grant.....	---		255
CBO has a lower first-year outlay rate than OMB (54% vs. 67%) resulting in a \$251 million difference in new outlays. In addition, CBO assumes slightly lower prior-year outlays.			
Temporary assistance for needy families (TANF).....	---		-210
CBO has a higher estimate of the outlay impact of raising the cap on transfers from TANF to the Social services block grant than OMB.			
Department of HHS, other technical outlay estimating differences.....	---		-63
<b>Department of Labor:</b>			
<b>Employment and Training Administration:</b>			
Training and Employment Services.....	---		463
CBO's estimate of outlays from prior-year balances is \$657 million lower than OMB's. In addition, CBO's first-year outlay rate is higher than OMB's (46% vs. 43%).			
Welfare-to-work jobs.....	---		-525
CBO's outlay estimate for the two-year extension in which grant recipients may expend funds totals \$50 million; OMB scores a savings of \$485 million in FY 2001 for this proposal. OMB and CBO also have a \$40 million difference in the outlay savings of the rescission of welfare-to-work performance bonus, resulting in a net outlay difference of \$525 million.			
Department of Labor, other technical outlay estimating differences.....	---		-18
<b>Social Security Administration:</b>			
Federal old-age and survivors insurance trust fund.....	---		101
CBO has a lower first-year outlay rate than OMB (88% vs. 91%), as well as lower prior-year outlays.			

**Table 2.**  
**Estimates Contained in P.L. 106-554, Departments of Labor, Health and Human**  
**Services, Education and Related Agencies Appropriations Act, FY 2001**  
(in millions of dollars)

	<u>FY 2001</u>	
	<u>BA</u>	<u>OL</u>
Federal disability insurance trust fund.....	---	71
CBO has lower prior-year outlays and a slightly lower first-year outlay rate.		
Other technical outlay estimating differences.....	---	13
	-----	-----
<b>TOTAL DIFFERENCES.....</b>	<b>32</b>	<b>1,363</b>
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<b>OMB ESTIMATE, NON-EMERGENCY APPROPRIATIONS.....</b>	<b>108,643</b>	<b>98,787</b>

**Table 3.**  
**Estimates Contained in P.L. 106-554,**  
**Legislative Branch Appropriations Act, FY 2001**  
(in millions of dollars)

	<u>FY 2001</u>	
	<u>BA</u>	<u>OL</u>

**EMERGENCY APPROPRIATIONS**

**OTHER DISCRETIONARY**

<b>CBO ESTIMATE, EMERGENCY APPROPRIATIONS.....</b>	<b>51</b>	<b>36</b>
Security Enhancements.....	---	-1
CBO outlay estimates include outlays from unreleased contingent emergency spending; OMB scores outlays for contingent emergency funds when the they are released.		
House office buildings.....	---	-5
CBO outlay estimates include outlays from unreleased contingent emergency spending; OMB scores outlays for contingent emergency funds when the they are released.		
FHA-general and special risk program account.....	---	-30
CBO outlay estimates include outlays from unreleased contingent emergency spending; OMB scores outlays for contingent emergency funds when the they are released.		
<b>TOTAL DIFFERENCES.....</b>	<b>---</b>	<b>-36</b>
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<b>OMB ESTIMATE, EMERGENCY APPROPRIATIONS.....</b>	<b>51</b>	<b>---</b>

**NON-EMERGENCY APPROPRIATIONS**

**OTHER DISCRETIONARY**

<b>CBO ESTIMATE, NON-EMERGENCY APPROPRIATIONS.....</b>	<b>2,527</b>	<b>2,524</b>
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**Scorekeeping Adjustments:**

**Other:**

CBO rounding adjustment.....	-2	---
CBO includes this adjustment to budget authority to bring account level detail in line with the bill total.		

**Table 3.**  
**Estimates Contained in P.L. 106-554,**  
**Legislative Branch Appropriations Act, FY 2001**  
(in millions of dollars)

		<b>FY 2001</b>	
		<b><u>BA</u></b>	<b><u>OL</u></b>
<b><u>Technical Outlay Estimating Differences</u></b>			
Senate.....	---		17
OMB and CBO have different estimates of outlays from new authority (\$61 million) and outlays from prior-year authority (-\$44 million).			
House of Representatives.....	---		24
OMB and CBO have different estimates of outlays from new authority (\$54 million) and outlays from prior-year authority (-\$30 million).			
Architect of the Capitol.....	---		26
OMB and CBO have different estimates of outlays from new authority (\$25 million) and outlays from prior-year authority (\$1 million).			
Library of Congress.....	---		-10
OMB and CBO have different estimates of outlays from new authority (-\$38 million) and outlays from prior-year authority (\$28 million).			
General Accounting Office.....	---		27
OMB and CBO have different estimates of outlays from new authority (\$14 million) and outlays from prior-year authority (\$13 million).			
Other technical outlay estimating differences.....	---		-4
	-----	-----	
<b>TOTAL DIFFERENCES.....</b>	<b>-2</b>		<b>80</b>
	-----	-----	
<b>OMB ESTIMATE, NON-EMERGENCY APPROPRIATIONS.....</b>	<b>2,525</b>		<b>2,604</b>



**Table 4.**  
**Estimates Contained in P.L. 106-554, Treasury and**  
**General Government Appropriations Act, FY 2001**  
(in millions of dollars)

		<u>FY 2001</u>	
		<u>BA</u>	<u>OL</u>
<b>EMERGENCY APPROPRIATIONS</b>			
<b><u>OTHER DISCRETIONARY</u></b>			
CBO ESTIMATE, EMERGENCY APPROPRIATIONS.....	55	---	---
TOTAL DIFFERENCES.....	---	---	---
OMB ESTIMATE, EMERGENCY APPROPRIATIONS.....	55	---	---
<hr/>			
CBO ESTIMATE, NON-EMERGENCY APPROPRIATIONS .....	15,575	15,120	
<b><u>Scorekeeping Differences:</u></b>			
Executive Office of the President:			
Compensation of the President and White House Office.....	1	3	
CBO classifies the salary of the President as mandatory BA. OMB classifies this as discretionary. CBO and OMB have different estimates of outlays from new authority (+\$1 million) and prior-year authority (+\$2 million).			
Federal Drug Control Programs:			
High intensity drug trafficking areas program.....	-1	9	
Budget authority difference is due to rounding. CBO and OMB have different estimates of outlays from new authority (+\$14 million) and prior-year authority (-\$5 million).			
Federal Election Commission:			
Salaries and expenses.....	-1	-1	
Budget authority difference is due to rounding. CBO and OMB have a slightly different estimate of outlays from new authority (-\$1 million).			

**Table 4.**  
**Estimates Contained in P.L. 106-554, Treasury and**  
**General Government Appropriations Act, FY 2001**  
(in millions of dollars)

	<u>FY 2001</u>	
	<u>BA</u>	<u>OL</u>

**General Services Administration:**

General Activities:

Policy and operations.....	1	-7
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Budget authority difference is due to rounding. CBO and OMB have different estimates of outlays from new authority (+\$5 million) and prior-year authority (-\$12 million).

**Other:**

CBO rounding adjustment.....	-3	---
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CBO includes this adjustment to budget authority to bring account level detail in line with the bill total.

**Technical Outlay Estimating Differences:**

Department of the Treasury:

Departmental Offices:

Violent crime reduction program.....	---	53
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OMB assumes \$53 million more in outlays from prior-year balances.

U.S. Customs Service:

Salaries and expenses.....	---	116
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CBO and OMB have different estimates of outlays from new authority (+\$94 million) and outlays from prior-year authority (+\$22 million).

Internal Revenue Service:

Information systems.....	---	-169
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CBO assumes \$169 million more in outlays from prior-year balances.

Information technology investments.....	---	92
---	-----	----

CBO and OMB have different estimates of outlays from new authority (-\$13 million) and outlays from prior-year authority (+\$105 million).

**Table 4.**  
**Estimates Contained in P.L. 106-554, Treasury and**  
**General Government Appropriations Act, FY 2001**  
(in millions of dollars)

	<b>FY 2001</b>	
	<b><u>BA</u></b>	<b><u>OL</u></b>
General Services Administration:		
Real Property Activities:		
Federal buildings fund.....	---	-31
CBO and OMB have different estimates of outlays from new authority (+74 million) and from prior-year authority (-\$43 million).		
<b>Other:</b>		
Other technical outlay estimating differences.....	---	38
	-----	-----
<b>TOTAL DIFFERENCES.....</b>	<b>-3</b>	<b>103</b>
	-----	-----
<b>OMB ESTIMATE, NON-EMERGENCY APPROPRIATIONS.....</b>	<b>15,572</b>	<b>15,223</b>

**Table 5.**  
**Estimates Contained in P.L. 106-554, Miscellaneous Provisions**  
**of the Consolidated Appropriations Act, FY 2001**  
(in millions of dollars)

		<u>FY 2001</u>	
		<u>BA</u>	<u>OL</u>
<b>EMERGENCY APPROPRIATIONS</b>			
<b><u>OTHER DISCRETIONARY</u></b>			
<b>CBO ESTIMATE, EMERGENCY APPROPRIATIONS.....</b>		<b>271</b>	<b>193</b>
<b>Legislative Branch:</b>			
Capitol buildings, salaries and expenses.....		-1	---
Chapter nine provided \$1million in funding for an emergency egress on the 4th floor of the capitol building. The funding was designated as an emergency by the Congress, but was not contingent upon a Presidential emergency declaration. As a result, CBO scored this as emergency funding while OMB scored it as a non-emergency appropriation.			
<b>Agriculture:</b>			
Office of the general counsel.....		-1	-1
Budget authority and outlay difference is due to rounding. CBO combined sections 108 and 109 and scored the sum at \$700,000. OMB scored the provisions separately, and rounded each to zero.			
<b>Other:</b>			
Across-the-board reduction.....		-7	1
CBO interpreted the .22 percent across-the-board cut as not including the indefinite emergency appropriation provided in P.L. 106-387. OMB applied the reduction to the estimate included in the 7-day report for P.L. 106-387. The outlay difference is due to the scorekeeping differences between OMB and CBO on unreleased contingent emergency spending. CBO estimates outlays up front, while OMB estimates outlays when the funds are released.			

**Table 5.**  
**Estimates Contained in P.L. 106-554, Miscellaneous Provisions**  
**of the Consolidated Appropriations Act, FY 2001**  
(in millions of dollars)

	<u>FY 2001</u>	
	<u>BA</u>	<u>OL</u>

**Technical Outlay Estimating Differences:**

**Department of Defense:**

Overseas contingency operations transfer fund.....	---	7
CBO estimates a first-year spendout rate of 68 percent while OMB estimates a rate of 75 percent.		
	-----	-----
<b>TOTAL DIFFERENCES.....</b>	<b>-9</b>	<b>7</b>
	-----	-----
<b>OMB ESTIMATE, EMERGENCY APPROPRIATIONS.....</b>	<b>262</b>	<b>200</b>

**NON-EMERGENCY APPROPRIATIONS**

**OTHER DISCRETIONARY**

<b>CBO ESTIMATE, NON-EMERGENCY APPROPRIATIONS .....</b>	<b>-256</b>	<b>-308</b>
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**Scorekeeping Differences:**

**Legislative Branch:**

Capitol buildings, salaries and expenses.....	1	1
Chapter nine provided \$1million in funding for an emergency egress on the 4th floor of the capitol building. The funding was designated as an emergency by the Congress, but was not contingent upon a Presidential emergency declaration. As a result, CBO scored this as emergency funding while OMB scored it as a non-emergency appropriation.		
Commission on on-line child protection.....	1	1
OMB scored \$1 million in budget authority and outlays for this appropriation in chapter two.		

**Table 5.**  
**Estimates Contained in P.L. 106-554, Miscellaneous Provisions**  
**of the Consolidated Appropriations Act, FY 2001**  
(in millions of dollars)

	<u>FY 2001</u>	
	<u>BA</u>	<u>OL</u>
<b>Department of Agriculture:</b>		
Farm Service Agency:		
Commodity credit corporation fund.....	-38	-36
Section 101(7) of chapter one provided assistance to producers of Flue-cured and Binder-type tobacco. CBO estimates that more producers will be eligible for assistance than OMB and thus scored \$38 million more in budgetary resources than OMB. The outlay difference is a result of the higher estimate of producers.		
<b>Department of Commerce:</b>		
NOAA:		
Operations, research, and facilities.....	1	-9
Budget authority difference is due to rounding. In addition, OMB assumes an aggregate first-year spendout rate of 62 percent to implement stellar sea lion protection measures, and for associated economic disaster relief payments. CBO assumes a 72 percent rate.		
<b>Department of Defense:</b>		
Operations and Maintenance:		
Operation and maintenance, Army.....	-1	---
Budget authority difference is due to rounding.		
Defense vessel transfer program financing account.....	4	---
OMB estimates that section 306 of chapter 3 provides \$4 million to cover necessary costs of lease-sale transfers authorized in the FY 2001 National Defense Authorization Act. CBO estimates no new obligational authority as a result of this provision.		
Military Construction:		
Military construction, Army National Guard.....	-1	---
Budget authority difference is due to rounding.		

**Table 5.**  
**Estimates Contained in P.L. 106-554, Miscellaneous Provisions**  
**of the Consolidated Appropriations Act, FY 2001**  
(in millions of dollars)

	<u>FY 2001</u>	
	<u>BA</u>	<u>OL</u>

**Department of Health and Human Services:**

HRSA:

Health Resources and Services.....	-1	2
------------------------------------	----	---

Budget authority difference is due to rounding. In addition, CBO estimates a first-year spendout rate of 27 percent, while OMB assumes a rate of 38 percent.

**Department of the Interior:**

BLM:

Management of lands and resources.....	-1	---
--	----	-----

Budget authority difference is due to rounding.

U.S. Fish and Wildlife Service:

Resource management.....	-1	-1
--------------------------	----	----

Budget authority and outlay difference is due to rounding.

**Department of Justice:**

Federal Prison System:

Salaries and expenses.....	-1	-1
----------------------------	----	----

Budget authority and outlay difference is due to rounding.

Office of Justice Programs:

State and local law enforcement assistance.....	-1	---
---	----	-----

Budget authority difference is due to rounding.

**Department of State:**

Administration of Foreign Affairs:

Educational and cultural exchange programs.....	-1	-1
---	----	----

Budget authority and outlay difference is due to rounding.

**Table 5.**  
**Estimates Contained in P.L. 106-554, Miscellaneous Provisions**  
**of the Consolidated Appropriations Act, FY 2001**  
(in millions of dollars)

	<b>FY 2001</b>	
	<b><u>BA</u></b>	<b><u>OL</u></b>

**Department of Transportation:**

Federal Aviation Administration:

Grants-in-aid for airports (Airport and airway trust fund).....	-1	-1
Budget authority and outlay difference is due to rounding.		

**Other:**

Retirement contribution rollback.....	-427	-427
Section 2(a) of P.L. 106-554 directed OMB to score section 505 of P.L. 106-346 as direct spending. OMB scored a cost of \$427 million as a result of section 505 in the 7-day-after report for P.L. 106-346 which was issued on December 19th, 2000. As directed by section 2(a), OMB scores a savings of \$427 million. CBO does not score changes to revenues as discretionary, and thus estimated no cost for section 505 of P.L. 106-346, and for section 2(a) of P.L. 106-554.		
Across-the-board reduction.....	-61	-84
OMB and CBO have slightly different estimates of the 0.22 percent across-the-board reduction to FY 2001 discretionary spending included in chapter 14.		
CBO rounding adjustment.....	3	---
CBO includes this adjustment to budget authority to bring account level detail in line with the bill total.		

**Technical Outlay Estimating Differences**

**Legislative Branch:**

Salaries and expenses, Library of Congress.....	---	67
OMB estimates a first-year spendout rate of 85 percent to implement the National Digital Information Infrastructure and Preservation Program. CBO estimates a first year rate of 18 percent.		

**Federal Emergency Management Agency:**

Emergency management planning and assistance.....	---	20
OMB estimates a first-year spendout rate of 45 percent for additional spending to implement the Firefighter Investment and Response Enhancement (FIRE) Act. CBO estimates a first year rate of 25 percent.		



**Table 5.**  
**Estimates Contained in P.L. 106-554, Miscellaneous Provisions**  
**of the Consolidated Appropriations Act, FY 2001**  
(in millions of dollars)

		<u>FY 2001</u>	
		<u>BA</u>	<u>OL</u>
<b>Other:</b>			
Other technical outlay estimating differences.....	---		-6
	-----	-----	-----
<b>TOTAL DIFFERENCES.....</b>	<b>-525</b>		<b>-475</b>
	-----	-----	-----
<b>OMB ESTIMATE, NON-EMERGENCY APPROPRIATIONS .....</b>	<b>-781</b>		<b>-783</b>

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**Table 6.**  
**ENACTED APPROPRIATIONS AS OF DECEMBER 15, 2000**  
(in millions of dollars)

	FY 2000		FY 2001	
	BA	Outlays	BA	Outlays
<b>Violent Crime Reduction Spending</b>				
Violent Crime Reduction Spending Limits <sup>1</sup> .....	4,500	6,344	N/A	N/A
Amount Previously Enacted.....	4,500	6,344	N/A	N/A
	-----	-----	-----	-----
Total Enacted, Violent Crime Reduction Spending.....	4,500	6,344	N/A	N/A
<b>Appropriations over/under (-) spending limits .....</b>				
<b>Highway Category Spending</b>				
Highway Category Spending Limits <sup>1</sup> .....	---	24,574	---	26,920
Amount Previously Enacted.....	---	24,574	---	26,897
	-----	-----	-----	-----
Total Enacted, Highway Category Spending.....	---	24,574	---	26,897
<b>Appropriations over/under (-) spending limits.....</b>				
<b>Mass Transit Category Spending</b>				
Mass Transit Spending Limits <sup>1</sup> .....	---	4,117	---	4,639
Amount Previously Enacted.....	---	4,117	---	4,639
	-----	-----	-----	-----
Total Enacted, Mass Transit Category Spending.....	---	4,117	---	4,639
<b>Appropriations over/under (-) spending limits.....</b>				

**Table 6.**  
**ENACTED APPROPRIATIONS AS OF DECEMBER 15, 2000**  
(in millions of dollars)

	FY 2000		FY 2001	
	BA	Outlays	BA	Outlays
<b>Other Discretionary Spending</b>				
Other Discretionary Spending Limits <sup>1</sup> .....	580,289	569,224	637,000	612,695
Amount Previously Enacted <sup>2</sup> .....	582,648	576,089	469,607	455,954
Amount Provided in P.L. 106-553, Commerce, Justice, State, the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001 .....	---	---	38,024	38,799
Amount Provided in P.L. 106-554, Departments of Labor, Health and Human Services, Education and Related Agencies Agencies Appropriations Act, 2001 <sup>3</sup> .....	---	---	108,943	98,787
Amount Provided in P.L. 106-554, Legislative Branch Appropriations Act, 2001 .....	---	---	2,576	2,604
Amount Provided in P.L. 106-554, Treasury and General Government Appropriations Act, 2001 .....	---	---	15,627	15,223
Amount Provided in P.L. 106-554, Miscellaneous Provisions of the Consolidated Appropriations Act, 2001 .....	---	---	-519	-583
	-----	-----	-----	-----
Total Enacted, Other Discretionary Spending .....	582,648	576,089	634,258	610,784
<b>Appropriations over/under (-) spending limits <sup>4</sup> .....</b>				
	2,359	6,865	-2,742	-1,911
<b>Total Discretionary Spending</b>				
Total Discretionary Spending limits <sup>1</sup> .....	584,789	604,259	637,000	644,254
Amount Previously Enacted <sup>2</sup> .....	587,148	611,124	469,607	487,490
Amount Provided in P.L. 106-553, Commerce, Justice, State, the Judiciary, and Other Independent Agencies Appropriations Act, FY 2001 .....	---	---	38,024	38,799
Amount Provided in P.L. 106-554, Departments of Labor, Health and Human Services, Education and Related Agencies				

**Table 6.**  
**ENACTED APPROPRIATIONS AS OF DECEMBER 15, 2000**  
(in millions of dollars)

	FY 2000		FY 2001	
	BA	Outlays	BA	Outlays
Agencies Appropriations Act, 2001 <sup>3</sup> .....	---	---	108,943	98,787
Amount Provided in P.L. 106-554, Legislative Branch Appropriations Act, 2001 .....	---	---	2,576	2,604
Amount Provided in P.L. 106-554, Treasury and General Government Appropriations Act, 2001 .....	---	---	15,627	15,223
Amount Provided in P.L. 106-554, Miscellaneous Provisions of the Consolidated Appropriations Act, 2001 .....	---	---	-519	-583
	-----	-----	-----	-----
Total Enacted, Total Discretionary Spending .....	587,148	611,124	634,258	642,320
<b>Appropriations Over/Under (-) Spending Limits <sup>4</sup> .....</b>				
	2,359	6,865	-2,742	-1,934

## NOTES

<sup>1</sup> FY 2000 and FY 2001 limits are the limits included in the August Update Report that was transmitted to the Congress on September 8, 2000. The limits include: enacted emergency appropriations and released contingent emergency appropriations, as permitted under the Budget Enforcement Act (BEA) of 1997; and, adjustments to the other discretionary category as enacted in P.L. 106-429, the FY 2001 Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001. The limits do not include an upward adjustment of \$3.2 billion for rounding to the limit on budget authority also required by P.L. 106-429. This adjustment will be made in the Final Sequestration Report.

<sup>2</sup> Includes \$90 million in FY 2000 outlays and \$200 million in FY 2001 BA and \$651 million in FY 2001 outlays associated with the release of contingent emergency funding provided for the Department of the Interior's firefighting activities; LIHEAP; and Department of Defense operations and maintenance.

<sup>3</sup> This total excludes outlays from releases of previously enacted emergency appropriations. These outlays are included in the previously enacted line.

<sup>4</sup> Pursuant to Sec. 5107 of Division B, Title V, of P.L. 106-246, sequestration has been waived.

**OMB COST ESTIMATE  
FOR PAY-AS-YOU-GO CALCULATIONS**

Report No: 546  
Date: \_\_\_\_\_

1. LAW NUMBER: P.L.106-554 (H.R. 4577)
2. BILL TITLE: Consolidated Appropriations Act, FY 2001
3. BILL PURPOSE: To provide appropriations for four of the 13 regular appropriation bills and other miscellaneous appropriations. The Act also includes several authorization bills.
4. OMB ESTIMATE:

	(Fiscal years; in millions of dollars)					
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
Direct spending:						
Medicare.....	0	5,080	7,935	6,460	7,250	8,360
Medicaid, SCHIP and other health.	0	995	1,520	690	390	220
Other.....	0	399	261	266	236	222
Receipts:						
Community renewal tax relief.....	0	-248	-1,074	-1,815	-1,930	-2,235
Civil service retirement roll back..	0	-427	-619	-160	0	0
Other.....	0	-21	-101	-160	-189	-200
Net costs.....	0	7,170	11,510	9,551	9,995	11,237
Not subject to pay-as-you-go:						
Off-budget outlays.....	0	691	409	412	414	411
Off-budget receipts.....	0	0	0	0	0	0
Net costs.....	0	691	409	412	414	411

Although P.L. 106-554 is an appropriations Act, it includes language directing OMB to score certain sections as subject to pay-as-you-go requirements, rather than as discretionary. It also directs OMB to change the pay-as-you-go scorecard for FY 2001 to zero in the final sequestration report. The table above shows the costs that are subject to pay-as-you-go pursuant to this Act and the off-budget costs that are exempt from pay-as-you-go procedures.

OMB estimates that P.L. 106-554 will increase net pay-as-you-go costs by \$49.5 billion over the 2001-2005 period. The Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act is estimated to increase net direct spending by \$38.9 billion over the five-year period. In addition, community revitalization and other provisions in the Community Renewal Tax Relief Act are estimated to result in revenue losses of \$7.3 billion over the five years. The remaining net costs result largely from roll back of Federal employee retirement contributions, increased benefits to compensate for an error in the Consumer Price Index, and increases in maximum percentage contribution limitations to the Federal Thrift Savings program.

5. CBO ESTIMATE:

	(Fiscal years; in millions of dollars)					
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
Direct spending:						
Medicare.....	0	3,908	7,981	6,331	6,639	7,414
Medicaid, SCHIP and other health.	0	31	-755	-3,327	-5,069	-6,181
Other.....	0	541	347	292	318	332
Receipts:						
Community renewal tax relief.....	0	-120	-999	-1,949	-2,104	-2,365
Civil service retirement roll back..	0	0	0	0	0	0
Other.....	0	-16	-78	-129	-170	-208
Net costs.....	0	4,616	8,650	5,374	4,162	4,138
Not subject to pay-as-you-go:						
Off-budget outlays.....	0	720	410	400	390	380
Off-budget receipts.....	0	1	1	1	-2	0
Net costs.....	0	719	409	399	392	380

6. EXPLANATION OF DIFFERENCES BETWEEN OMB AND CBO ESTIMATES:

Over the 2001-2005 period, CBO scores net costs of \$26.9 billion, while OMB scores net costs of \$49.5 billion. The difference of \$22.5 billion is primarily the result of scoring differences for the Medicaid and Medicare provisions. CBO's scoring of net impact for the Medicaid, SCHIP, and other health provisions is \$19.1 billion below OMB, largely due to different estimates for the provision requiring the Department of Health and Human Services (HHS) to publish a regulation curbing States' inappropriate use of provider upper payment limits (UPL) under the Medicaid program. CBO assumes higher State UPL spending in its baseline than OMB does. As a result, CBO estimates higher savings from the provision directing HHS to issue a regulation that would curb the inappropriate State practices. For the Medicare provisions, CBO scores \$2.8 billion lower net costs than OMB due to different baseline assumptions and different technical estimates for several provisions. In addition, CBO scored costs of \$1.3 billion for roll back of Federal employee retirement contributions to the Transportation Appropriations Act. OMB scores costs of \$1.2 billion for that provision to this Act as directed.

7. CUMULATIVE EFFECT OF DIRECT SPENDING AND REVENUE LEGISLATION ENACTED TO DATE:

	(Fiscal years; in millions of dollars)					
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
Outlay effect.....	34	7,874	12,193	14,547	15,742	16,858
Receipt effect.....	-8	-1,778	-2,987	-3,413	-3,453	-3,789
Net costs.....	42	9,652	15,180	17,960	19,195	20,647

NOTE: Pursuant to P.L. 106-554, the pay-as-you-go balances that would result in a sequester for FY 2001 will be set to zero in OMB's final sequestration report.